

Book Note

Resolving the Democratic Dilemma?

The Democratic Dilemma: Can Citizens Learn What They Need to Know?, by Arthur Lupia and Mathew D. McCubbins. Cambridge University Press, 1998.

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Can voters possibly acquire enough information to impose meaningful democratic control over the activities of the modern state? This is the fundamental question addressed by Arthur Lupia and Mathew McCubbins' important new book, *The Democratic Dilemma: Can Citizens Learn What They Need to Know?*¹

As one leading scholar puts it, "[n]othing strikes the student of public opinion and democracy more forcefully than the paucity of information most people possess about politics."² The consensus of decades of public opinion research is that most voters are ignorant of even the most basic political information,³ including knowledge of which branches of government control which policies,⁴ and the meaning of "conservative" and "liberal" ideologies.⁵ Seventy percent of voters cannot name both of their state's senators.⁶ More than a third can be categorized as "know-nothings" almost completely ignorant of relevant political information,⁷ and perhaps no more than five percent are knowledgeable to any substantial extent.⁸

Despite this bleak state of affairs, Lupia and McCubbins nonetheless answer the question they pose in the title of their book in the affirmative. Their main claim is that voters need not have detailed knowledge in order

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¹ ARTHUR LUPIA & MATHEW D. MCCUBBINS, *THE DEMOCRATIC DILEMMA: CAN CITIZENS LEARN WHAT THEY NEED TO KNOW?* (1998).

² John A. Ferejohn, *Information and the Electoral Process*, in *INFORMATION AND DEMOCRATIC PROCESSES* 3, 3 (John A. Ferejohn & James H. Kuklinski eds., 1990).

³ For the most thorough recent summary of the evidence, see MICHAEL X. DELLI CARPINI & SCOTT KEETER, *WHAT AMERICANS KNOW ABOUT POLITICS AND WHY IT MATTERS* (1996).

⁴ See *id.* at 69-73.

⁵ See Philip E. Converse, *The Nature of Belief Systems in Mass Publics*, in *IDEOLOGY AND DISCONTENT* 206, 213 (David E. Apter ed., 1964).

⁶ See DELLI CARPINI & KEETER, *supra* note 3, at 94.

⁷ See Stephen E. Bennett, 'Know-Nothings' Revisited: *The Meaning of Political Ignorance Today*, 69 SOC. SCI. Q. 476, 476 (1988).

⁸ See W. RUSSELL NEUMAN, *THE PARADOX OF MASS POLITICS: KNOWLEDGE AND OPINION IN THE AMERICAN ELECTORATE* 14-22 (1986) (citing a range of studies demonstrating lack of specific political knowledge and lack of familiarity with abstract political concepts among the American electorate).

to keep track of public policy because learning can take place even in the absence of knowledge through implicit "cues" from interest group leaders, the media, politicians, and others. Such cues can, they claim, enable voters to grasp the essentials of complex issues without devoting large amounts of time and effort. While similar claims for the efficacy of various "shortcuts" to political knowledge have been made before,⁹ Lupia and McCubbins develop the argument in a more rigorous and sophisticated way. They assume that voter control of politicians and legislator control of bureaucracies can be analyzed as a subset of delegation theory in general. In the first half of the book, Lupia and McCubbins present a novel theory of how voter "principals" can learn sufficient information to control their political "agents" from a few relatively easy-to-follow cues. In the second, they attempt to substantiate their theory empirically with evidence from small-group laboratory experiments and surveys. Finally, in the concluding chapter, the authors summarize the implications of their findings for voter control of legislatures, legislative control of government bureaucracies, and even the use of citizen juries in the legal system.

Although the authors' analysis is often interesting and insightful, they err in failing to come to grips with the key factors that make voting a particularly difficult principal-agent dilemma. Unlike most principals in private markets, voters are "rationally ignorant." Since any one vote has virtually no chance of affecting an electoral outcome, there is little incentive for the individual voter to acquire sufficient knowledge to vote "accurately."¹⁰ Even worse, the immense size and scope of modern government make it extremely difficult for even very dedicated voters to acquire enough information about all of the state's important functions to vote in an informed manner.¹¹

Part I of this review analyzes Lupia and McCubbins' principal-agent model of voter control as it is laid out in the first half of the book. I argue that their model imposes considerably greater informational burdens on voters than the authors imply. In Part II, I consider their experimental evidence. While the data presented by Lupia and McCubbins has interesting implications, it fails to show that voters can easily acquire adequate information by using the shortcuts suggested by the authors. Finally, Part III critiques some of the policy implications presented in their final chapter. Here too, Lupia and McCubbins are overly optimistic about

9 See, e.g., MORRIS P. FIORINA, *RETROSPECTIVE VOTING IN AMERICAN PRESIDENTIAL ELECTIONS* (1981); V.O. KEY, *THE RESPONSIBLE ELECTORATE: RATIONALITY IN PRESIDENTIAL VOTING, 1936-1960* (1966); BENJAMIN I. PAGE & ROBERT Y. SHAPIRO, *THE RATIONAL PUBLIC: FIFTY YEARS OF TRENDS IN AMERICANS' POLICY PREFERENCES* (1992); SAMUEL L. POPKIN, *THE REASONING VOTER: COMMUNICATION AND PERSUASION IN PRESIDENTIAL CAMPAIGNS* (1991).

10 See ANTHONY DOWNS, *AN ECONOMIC THEORY OF DEMOCRACY* ch. 13 (1957).

11 This is one of the themes of my own recent work. See Ilya Somin, *Voter Ignorance and the Democratic Ideal*, 12 CRIT. REV. 413 (1999).

the extent to which shortcuts can alleviate the knowledge burden on voters. As a result, their policy proposals go well beyond what the evidence they present would justify.

I. The Model

Lupia and McCubbins' key insight is that a person seeking to make a rational decision between two or more alternatives need not actually have detailed knowledge of each option; instead, they merely need to be able to "*predict the consequences of actions.*"¹² This seemingly obvious deduction, the authors argue, has important implications. It suggests that voters can potentially learn which political leaders and public policies are likely to serve their interests best without actually knowing much about them.

Unlike many previous defenders of shortcuts to adequate political knowledge,¹³ Lupia and McCubbins precisely specify the criteria that voter knowledge must meet if it is to be adequate to the needs of what they call "reasoned choice."¹⁴ In order to be able to predict the consequences of alternative policy choices without having detailed specific knowledge, voters must be able to find sources of information that are (1) knowledgeable, and (2) have an incentive to tell the truth.¹⁵ They refer to these two characteristics of information sources as the "knowledge condition" and the "incentives condition" respectively.¹⁶ In cases where both conditions can be met, Lupia and McCubbins "reject the conclusion that people who lack information are incapable of reasoned choice."¹⁷ Indeed, in such situations, acquiring additional information about "details" of policy might be simply wasteful, since the necessary effort will not be worth the cost.¹⁸ If external sources of information that meet both conditions are available, voters can use this knowledge not only to make policy choices but also to enforce effectively such decisions on politicians and bureaucrats whose activities they know little about;¹⁹ trustworthy information sources (i.e., sources that meet the two preconditions) such as interest group leaders and political activists can inform voters if the delegated powers are not being used to serve their interests.²⁰ Here, Lupia and McCubbins' theory is similar to earlier claims that voters can cut

12 LUPIA & MCCUBBINS, *supra* note 1, at 6 (emphasis in original).

13 See, e.g., FIORINA, *supra* note 9; POPKIN, *supra* note 9.

14 LUPIA & MCCUBBINS, *supra* note 1, at 17.

15 See *id.* at 12.

16 *Id.*

17 *Id.* at 18.

18 See *id.* at 25.

19 See *id.* at 89-93.

20 See *id.* at ch. 5.

down on information costs by following cues given by "opinion leaders."²¹ Yet it improves on them by precisely specifying the circumstances under which information from opinion leaders is likely to be useful.

Perhaps because of the focus in the political science literature on the possibility that ignorant voters may be deceived by unscrupulous politicians and demagogues,²² Lupia and McCubbins spend much more space discussing the incentives condition than the knowledge condition. They argue that this condition can be met if either (1) the voters (referred to as "principals") have common interests with information providers ("speakers"), (2) the principals can verify the accuracy of the speakers' statements after the fact, or (3) the speakers will suffer a sufficiently severe penalty for lying that they will be deterred from doing so.²³

Furthermore, the authors suggest, voters can sometimes gain accurate information even from sources that do not meet the incentive precondition at all. For instance, a Democrat listening to a speech by Newt Gingrich to his supporters can infer that Gingrich is knowledgeable about the issues he is addressing and is probably not lying to his supporters because they have common interests.²⁴ Assuming that the Democratic listener sees Gingrich as having interests opposed to her own, Gingrich's expression of support for certain policies in the speech is a cue for the listener to adopt the *opposite* position!²⁵ Similarly, the fact that Gingrich or other highly placed political leaders are willing to make "costly efforts" to advance their positions on a given issue is a signal of that issue's importance to the electorate.²⁶

Lupia and McCubbins' model of adequate knowledge is simple and appealing; however, many of its implications undercut their optimistic conclusion that it provides a way for voters to make "reasoned choices" with little or no information.²⁷ First, an important implication of their model is that voters must actually find knowledgeable information sources on all the issues that interest them. Although Lupia and McCubbins tend to downplay the significance of the knowledge prerequisite in their analysis, this is no trivial task when one considers the vast range of issues that fall within the purview of modern government. The federal government alone has fourteen cabinet-level departments and sixty-one independent

21 See, e.g., POPKIN, *supra* note 9; James A. Stimson, *A Macro Theory of Information Flow, in INFORMATION AND DEMOCRATIC PROCESSES*, *supra* note 2, at 345.

22 See, e.g., JOHN R. ZALLER, *THE NATURE AND ORIGINS OF MASS OPINION* (1992); cf. KEY, *supra* note 9, at 7-8 (raising and rejecting the conventional argument that voters are "fools" easily manipulated by "devilishly skilled propagandists").

23 See LUPIA & MCCUBBINS, *supra* note 1, at 53-59.

24 Lupia and McCubbins' book went to press before Speaker Gingrich's resignation in November 1998.

25 See *id.* at 61.

26 See *id.* at 58-60.

27 See *id.* at 18.

regulatory agencies covering issues as diverse as agriculture subsidies, health policy, and nuclear energy.²⁸

In theory, a voter may be able to truncate the search for information sources by finding a single source that is knowledgeable about a wide range of issues. In practice, however, it is difficult, if not impossible, for one source to be well-informed about the full range of public policy issues. Moreover, reliance on a single source magnifies the impact of any biases or other shortcomings that source might have. A necessary prerequisite for seeking out information sources is knowledge that the issues about which one needs to be informed actually exist. Yet voters are often completely unaware of vast portions of governmental activity.²⁹

The search for knowledgeable information sources is further complicated by the insignificance of the individual vote, which gives voters little incentive to seek out the information necessary to make a "correct" decision.³⁰ Since any one vote has only an infinitesimally low chance of determining an electoral outcome, voters are likely to be "rationally ignorant," unwilling to devote large amounts of time to the acquisition of information on a decision which has little chance of having any effect. This inherent shortcoming of voting, well known since Anthony Downs' pioneering work in the 1950s,³¹ is not integrated into Lupia and McCubbins' analytical framework. Yet, while searching for reliable sources of information on policy outcomes is presumably less costly than studying the details of policy for oneself, it is by no means easy. Given the vast range of issues involved, it may well require more effort than "rationally ignorant" voters are willing to devote.

Even in the unlikely event that voters are willing and able to seek out information sources on the full range of important issues, it is not necessarily the case that they will be able to differentiate between those who are knowledgeable and those who are not.³² Such differentiation requires either an ability to assess the sources' qualifications as experts or some knowledge of their track record. Neither can be taken for granted where voters are as severely ignorant as surveys show the American electorate to be.³³ In assessing public policy, there are few feedback mechanisms that allow voters to easily assess the past performance of either political leaders or purveyors of information about their activities.

Even with respect to the incentive prerequisite, to which Lupia and

28 See Somin, *supra* note 11, at 431.

29 See generally DELLI CARPINI & KEETER, *supra* note 3, at 62-104 (documenting extensive voter ignorance on numerous issues).

30 See DOWNS, *supra* note 10, at ch. 13.

31 See *id.*

32 For an example of how Lupia and McCubbins' own research places this proposition into doubt, see *infra* Part II.

33 See *supra* notes 3-8 and accompanying text.

McCubbins devote greater attention than to the knowledge condition, their analysis tends to underestimate the difficulty of the voters' task. Under Lupia and McCubbins' framework, a voter assessing the reliability of an information source needs to know if he and the source have common interests and, if not, whether the source has any other incentive to tell the truth.³⁴ Neither is easily determined without at least some substantial background information about the issue at hand and/or the source itself. Furthermore, Lupia and McCubbins ignore the possibility that politicians and other information sources can adopt an assortment of strategies to make their efforts at deception more effective.

Lupia and McCubbins' example of Gingrich and his listeners nicely illustrates these complicating factors. Their key assumption is that the Democratic listener has already determined that she and Gingrich have opposed interests. Yet such a determination cannot be made without knowing something about how both Gingrich's interests and one's own are likely to be furthered or undermined by alternative policy options. Obviously, the voter can try to rely on external information sources to tell her whether Gingrich's interests are aligned with hers. Yet this strategy raises the same issues of credibility with respect to those sources as arose with Gingrich himself.

Second, even if the voter has been able to come to the accurate conclusion that Gingrich's interests are opposed to her own, Lupia and McCubbins' theory ignores the possibility that Gingrich himself is also aware that listeners with opposed interests are scanning his speeches. Knowing this fact, Gingrich can, for instance, adopt a deliberate strategy of expressing views more moderate than those he really holds in order to mislead these hostile listeners—a common enough political tactic.³⁵ In the extreme case, he might even choose to communicate with key supporters in secret in order to avoid unwanted attention from potential opponents.

Similar strategic maneuvers might undercut the usefulness to voters of "costly signaling." If politicians and activists realize that voters, following the strategy suggested by Lupia and McCubbins, ascribe special importance to those issues to which they have devoted substantial time and resources, they can respond by devoting resources to issues that may be of great significance to themselves or to well-placed interests, but of little moment to most voters. A notable real-world example of this strategy can be seen in the periodic bursts of attention that political elites devote to the trade deficit, an issue of great importance to industries threatened by

34 See LUPIA & MCCUBBINS, *supra* note 1, at 54-55.

35 This is the opposite of the strategy of "position-taking"—endorsing positions that an officeholder has little desire or ability to actually implement in order to galvanize supporters. For a discussion of position-taking, see DAVID R. MAYHEW, CONGRESS: THE ELECTORAL CONNECTION 61-73 (1974).

foreign competition but one that—according to the consensus view of economists—has no real impact on the welfare of the population at large.³⁶

The point is not that such strategies are necessarily effective—they did not, in the end, save Gingrich, after all—but instead that the possibility of their use introduces complications that are not captured by Lupia and McCubbins' model. Obviously, every social scientific model necessarily abstracts from at least some aspects of reality,³⁷ but the authors' failure to include a factor that seems so integral to the question they address at least requires some defense.

A deeper objection to the argument Lupia and McCubbins derive from the Gingrich example is that it conflates two possible sources of disagreement between opposing sides in a political controversy. In some instances, political adversaries may disagree because they genuinely have differing *ends*; for instance, critics and defenders of abortion disagree as to whether the rights and interests of the fetus should take precedence over those of the pregnant woman.³⁸ In such a case, partisans of one side may be well-served by applying the Lupia-McCubbins strategy of reflexively taking positions opposite to those put forward by the other side.

In the case of another wide class of issues, however, opposing partisans disagree over *means* rather than ends. Conservatives and liberals, for instance, may both genuinely want to alleviate poverty, but still differ greatly on the question of how this can be accomplished.³⁹ In such a situation, reflexively opposing the positions taken by one of the sides may prevent the voter from giving adequate consideration to an alternative, perhaps superior, means of achieving goals he himself shares. The Lupia-McCubbins strategy, therefore, is useful only in the context of disputes over ends, and it is positively dangerous in cases of disputes over means. An additional complication is that it is often difficult to tell whether a dispute is over means or ends, and unscrupulous partisans may attempt to discredit opponents by portraying them as actively opposed to a group's ends even when they merely wish to propose a new means of achieving them.⁴⁰

In light of these difficulties, an alternative interpretation of the Lupia-

36 For a discussion of this and other similar fallacies ubiquitous in the public debate over trade policy, see PAUL R. KRUGMAN, *POP INTERNATIONALISM* (1996).

37 See generally Milton Friedman, *The Methodology of Positive Economics*, in *ESSAYS IN POSITIVE ECONOMICS* 3 (1953).

38 See generally LAURENCE H. TRIBE, *ABORTION: THE CLASH OF ABSOLUTES* (1990).

39 For a discussion of contrasting liberal and conservative approaches to the problem of poverty, see LAWRENCE M. MEAD, *THE NEW POLITICS OF POVERTY: THE NONWORKING POOR IN AMERICA* (1992).

40 See Glenn C. Loury, *Self-Censorship in Public Discourse: A Theory of Political Correctness and Related Phenomena*, 6 *RATIONALITY & SOC.* 428 (1994) (arguing that stands on purely instrumental issues may often be turned into litmus tests of a political actor's commitment to a group's fundamental goals).

McCubbins model of voter decision-making is not that “people who lack information” can still make “reasoned choices,” but that information about the knowledge and trustworthiness of key political elites can substitute for information about the substance of specific policies. Although there is as yet little empirical evidence to support such an assertion, it is plausible to assume that the former sort of information is easier to acquire and understand than the latter. Much less compelling are the further assumptions that information about knowledge and trustworthiness is easily acquired in an absolute rather than a relative sense and that adequate information about such matters is currently possessed by most of the electorate. Lupia and McCubbins have highlighted a new path to political knowledge. They have not, however, been able to show that it is an easy path, or even that it is clearly less difficult than the alternatives.

II. Experimental and Survey Evidence

In Chapters 6-9 of *The Democratic Dilemma*, Lupia and McCubbins present experimental and survey evidence that they claim supports their theory. To demonstrate that the knowledge and incentives preconditions really do have an impact on real-world decision-making, the authors performed a series of experiments in which one test subject observed coin tosses and another did not. The informed subject (the “speaker” in the book’s terminology) then had the option of reporting what he saw accurately to his partner (the “principal”) or of trying to deceive her. The latter, in turn, had to make a statement as to what he thought the true result was. In some variations of the experiment, the speaker and the principal were given “common interests”—that is, both were paid on the basis of how accurate the principal’s statements of the outcomes of the coin tosses were.⁴¹ In others, the speaker was given an incentive to deceive his partner, and in still others the speaker and listener were given opposed incentives, but with a penalty imposed on the speaker for lying.⁴² Other variations on the basic experimental design tested the hypotheses of “costly signaling” and showed that the principals were unlikely to follow the speakers’ recommendations where the latter lacked knowledge of the coin toss outcomes.⁴³

There is no need here to review all the authors’ ingenious variations on their basic experimental design. It is sufficient to note that the results strongly bore out their prediction that principals were far more likely to believe and act on the speakers’ statements when the latter were perceived as both knowledgeable and as having an incentive to reveal the truth than

41 See LUPIA & MCCUBBINS, *supra* note 1, at 109.

42 See *id.*

43 See *id.* at 103.

when one or both of these factors was absent.⁴⁴ In and of itself, this experimental result is difficult to question and is in fact what we would intuitively expect to occur. What is much less clear is the applicability of Lupia and McCubbins' results to real-world voting and delegation, the phenomena they wish to shed light on.

Unfortunately, the authors' experimental design fails to capture several key difficulties that bedevil actual voting. Most fundamentally, the experiment addresses only the question of whether or not principals will vary their confidence in speakers depending on how knowledgeable and trustworthy they are perceived to be. It does not address what, as we saw in Part I, is the more difficult real-world question: whether voters can accurately gauge knowledge and trustworthiness itself.⁴⁵ In most versions of the Lupia-McCubbins experimental design, the principals were simply told whether or not the speakers were knowledgeable and also what kind of incentive they had to lie or tell the truth.⁴⁶ Tellingly, however, the authors did run one experimental trial in which the principals were told that they and the speakers had common interests even though they actually did not.⁴⁷ In this scenario, the principals accepted the speakers' advice just as they did in those cases where there was a real commonality of interests.⁴⁸

A second key limitation of the experiment is that the principals were required to acquire information on only one easily understood "issue"—the outcomes of a set of coin tosses. Informed voting in an election, of course, requires dealing simultaneously with a large number of issues, many of them quite complex. Thus, the ability of Lupia and McCubbins' test subjects to make "reasoned" choices under highly favorable conditions does not show that voters could do so under the much more difficult conditions of real-world politics.

Finally, the applicability of the Lupia-McCubbins experiment is limited by its failure to replicate the collective action problems that arise in elections. In the experiment, the principals and speakers received monetary payments based purely on the success of their individual actions, without reference to the acts of others. In an election, by contrast, a "correct" voting decision by an individual voter creates no benefits for him except in the extremely rare circumstance where it determines the outcome of an election. Thus, the voter, unlike Lupia and McCubbins' test subjects, has little incentive to seek out information or even consider the issues logically. This critical difference between Lupia and McCubbins'

44 *See id.*

45 *See supra* text accompanying notes 27-39.

46 *See id.* at 115.

47 *See id.* at 130-32.

48 *See id.* at 132.

experimental subjects and real-world voters makes it difficult to extrapolate from the behavior of the former to the latter.

In Chapter 9, the authors attempt to supplement their experimental findings with evidence from survey data. A representative sample of respondents was asked whether or not they believed increased spending for prison construction to be a "good idea."⁴⁹ Some of the respondents were told that this proposal had been endorsed by conservative talk show host Rush Limbaugh, while others were informed that it was supported by liberal host Phil Donahue. Still others were told that it was opposed by one of these two luminaries, and a control group was asked the question without any reference to either host.⁵⁰

Lupia and McCubbins posited that those respondents who both agreed with Limbaugh or Donahue "all" or "most" of the time and perceived them as knowledgeable about the issue at hand, would be more likely to align their views with those attributed to their favored talk show host.⁵¹ Conversely, those who stated that they disagreed with the host in question all or most of the time were expected to differ with his supposed views on prison construction as well. The authors argue that a host who is a perceived as both knowledgeable and sharing common values with the respondent meets their knowledge and incentives prerequisites for being a trustworthy source of information.⁵² Therefore, if the respondents behave as predicted, Lupia and McCubbins' theory would receive a degree of empirical confirmation.

The authors did indeed find that respondents who perceived Limbaugh or Donahue as knowledgeable and agreed with him "all or most" of the time were more likely to endorse his position on prison construction.⁵³ More interestingly, they also found that those who disagreed with the host in question all or most of the time were also disproportionately likely to reject his views on prisons as well.⁵⁴ This conclusion provides support for their hypothesis that voters may derive useful clues from the statements of opposing political activists and leaders.

Although the survey analysis has a few minor methodological shortcomings,⁵⁵ it does provide somewhat more powerful evidence for the

49 See *id.* at 187.

50 For a detailed description of this survey, see *id.* at 186-90.

51 See *id.* at 188.

52 See *id.* at 189-90.

53 See *id.* at 192-95.

54 See *id.* at 192-93.

55 For example, as hinted at in Part I, "agreeing" with Limbaugh or Donahue most of the time is not necessarily the same thing as having common interests with them in the sense that Lupia and McCubbins define as necessary to meet their incentive precondition. One can, for instance, agree with Limbaugh's or Donahue's ends but disagree with them on the means, or vice versa. Lupia and McCubbins' definition presumably requires agreement on ends, for the whole point of seeking information sources in their theory is to find the most effective means. It is difficult to say to what

authors' hypothesis than does the coin experiment. Unlike the latter, it deals with a real and complex issue, and the information sources involved are real public personalities. Unfortunately, however, it still suffers from some of the same shortcomings. Like the experimental evidence, the surveys do not in any way show that voters are capable of finding information sources that really are knowledgeable and trustworthy—only that they believe those sources that *appear* to be so. Indeed, it is significant that a large proportion of the survey respondents thought that Donahue and Limbaugh really were knowledgeable about the somewhat esoteric issue of new prison construction and were willing to be guided by their stance. With due respect to Messers Donahue and Limbaugh, it is not likely that they really do possess the necessary expertise to give informed advice on this issue. On this point, it would seem, the survey evidence undercuts Lupia and McCubbins' optimistic view of voter knowledge rather than strengthens it.

A second implication of the Limbaugh-Donahue survey that cuts against Lupia and McCubbins is that it exemplifies the confusion of ends and means described in Part I. It seems unlikely that either Limbaugh or Donahue opposes the goal that new prison construction is alleged to serve—that of reducing crime. If they disagree over the issue, it is likely because they have differing views as to the means by which this goal is best achieved. In this respect, the willingness of voters to reflexively accept or reject their positions based on their general political sympathies may be a positively ineffective strategy of sorting political information, leading voters to support or reject a policy option solely because of disagreements with its advocates over other issues.

III. Policy Implications

Lupia and McCubbins contend that their findings have important implications for public policy and the design of political institutions.⁵⁶ In general, they arrive at the optimistic assessment that voters are able to make informed choices even though “it is indisputable that they know little of the details of politics and government.”⁵⁷ Voters, the authors claim, can find knowledgeable and trustworthy sources of information among political parties, interest groups, and others involved in the political

degree—if any—this problem skews their results. A second minor flaw is that the authors did not check to see if the respondents were aware of Limbaugh's and Donahue's respective political orientations. Thus, we do not know whether an expression of “agreement” with the views of these hosts really represents a considered commitment to liberalism or conservatism or not. If it does not, this makes it more likely that “agreement” does not truly indicate a sense of common interests of the sort required by Lupia and McCubbins' incentive prerequisite.

⁵⁶ See LUPIA & MCCUBBINS, *supra* note 1, at ch. 10.

⁵⁷ See *id.* at 205.

process.⁵⁸ They also extend the logic of their argument to other political institutions where principals with highly limited information seek to control much better-informed agents, including legislative oversight of bureaucracy and the use of lay juries to assess complex cases.⁵⁹ Here too, the ability to seek external information sources is said to make up for lack of knowledge.

Unfortunately, Lupia and McCubbins' analysis fails to provide adequate foundations for these broad assertions. While the ability to use information from knowledgeable and trustworthy sources may cut down on information costs for voters and others, it by no means eliminates the substantial cost of identifying the needed sources—which itself may require considerable knowledge. Nor does it eliminate the collective action problems and strategic maneuvering by political leaders that further complicate the voters' task.

Lupia and McCubbins are perhaps on firmer ground in their discussion of legislative oversight of bureaucracy than in their analysis of their central topic of voting.⁶⁰ The information asymmetry between legislators and bureaucrats is presumably much smaller than that between voters and politicians. Legislators are likely to have considerable experience and skill in identifying knowledgeable and trustworthy information sources on the performance of various agencies. They are also less likely than voters to suffer from collective action problems that lead them to be rationally ignorant. Finally, legislators have much greater power than do voters to restructure the incentives faced by the agents to whom their power is delegated.⁶¹ Even here, it is by no means clear that legislators are capable of acquiring enough information to control the sprawling bureaucracy of modern government.⁶² If they are, it is likewise an open question as to how much of this success is attributable to the causes posited by Lupia and McCubbins' theory. More importantly, however, the fact that legislators can control bureaucrats may be of little consolation if the legislators themselves cannot be controlled by voters because they lack the necessary knowledge. In such a scenario, legislative dominance over the bureaucracy may be used to promote the goals of strategically placed interest groups at the expense of the general public.⁶³

58 See *id.* at 206-08.

59 See *id.* at 209-25.

60 See LUPIA & MCCUBBINS, *supra* note 1, at 216-23.

61 See *id.* at 215-19.

62 For skeptical views, see, e.g., THEODORE J. LOWI, *THE END OF LIBERALISM: THE SECOND REPUBLIC OF THE UNITED STATES* 92-126 (2d ed. 1979); WILLIAM A. NISKANEN, JR., *BUREAUCRACY AND REPRESENTATIVE GOVERNMENT* (1971); GORDON TULLOCK, *THE POLITICS OF BUREAUCRACY* (1965); Terry M. Moe, *An Assessment of the Positive Theory of Congressional Dominance*, 12 LEG. STUD. Q. 475 (1987);

63 For notable statements of the argument that legislation has a tendency to come under the control of narrow interest groups, see MORRIS P. FIORINA, *CONGRESS: KEYSTONE OF THE*

Lupia and McCubbins' most original application of their theory is to the use of citizen juries in trials with complex evidence.⁶⁴ Despite recently increasing skepticism among lawyers and academics about the ability of jurors to handle complex cases,⁶⁵ they argue that knowledgeable sources of information are available to jurors in the form of arguments by counsel and witness testimony, and that the incentives and interests of these sources can readily be inferred from their affiliation with one or another party to the case.⁶⁶ Yet, as discussed above, the authors' incentive criterion requires not only that the interests of information sources be known but that they have an incentive to reveal the truth.⁶⁷ A juror who listens to presentations by expert witnesses by both sides in a complex case may know that the witnesses have an incentive to bend the truth for their clients' benefit, but this knowledge is of limited utility if he does not have sufficient background knowledge to determine which parts of the witnesses' testimony really are lies or exaggerations and which are not. In some cases, the scientific issues may be so complex that jurors have difficulty even understanding expert witness testimony, much less assessing it.⁶⁸ For these reasons, Lupia and McCubbins' optimism about the utility of lay juries may be unwarranted.

Conclusion

Lupia and McCubbins' *The Democratic Dilemma* is a useful addition to the literature on voter knowledge. The authors' most important contribution is their explanation of how information about the knowledge and trustworthiness of political actors may be used as a substitute for direct knowledge of the details of public policy. Less persuasive is their assertion that this means of enlightenment can in and of itself allow severely ignorant voters to make reasoned choices about public policy. As we have seen, the authors underestimate the knowledge burden imposed by the very process of finding and identifying knowledgeable and trustworthy information sources. The Lupia-McCubbins strategy also does little to defuse the knowledge deficiencies caused by rational ignorance and the sheer size and scope of the government agenda. The authors' laboratory and survey data likewise provide only equivocal support for their claims.

WASHINGTON ESTABLISHMENT (1989); LOWI, *supra* note 62, at 42-66; MANCUR OLSON, *THE RISE AND DECLINE OF NATIONS: ECONOMIC GROWTH, STAGFLATION, AND SOCIAL RIGIDITIES* 36-73 (1982).

64 See LUPIA & MCCUBBINS, *supra* note 1, at 223-26.

65 See, e.g., Richard A. Posner, *Juries on Trial*, 99 COMMENTARY 49 (1995) (reviewing recent work on juries and expressing a qualifiedly skeptical view).

66 See LUPIA & MCCUBBINS, *supra* note 1, at 223-26.

67 See *supra* text accompanying notes 34-35.

68 For a dramatic example, see JONATHAN HARR, *A CIVIL ACTION* (1995).

Despite these criticisms, Lupia and McCubbins have performed a useful service in identifying an alternative means of redressing the informational deficiencies of voters and others involved in principal-agent dilemmas with severely asymmetrical information. Future scholarship should build on their work and subject their theories to more rigorous and systematic empirical testing. By this means, we may yet obtain a clearer answer to the question of whether or not citizens can learn what they need to know to assert meaningful democratic control over the modern state.